

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 1800 - SB 2160**

February 1, 2018

**SUMMARY OF BILL:** Establishes a process by which a member of the General Assembly may petition the Government Operations Committees of the Senate or House of Representatives (the Committees) to review agency statements or intra-agency memoranda to determine if the statement or memoranda qualifies as an exception to the definition of a “rule” under the Uniform Administrative Procedures Act.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Pursuant to Tenn. Code Ann. § 4-5-102(12), “rule” is defined as each agency statement of general applicability that implements or prescribes law or policy or describes the procedures or practice requirements of any agency. “Rule” includes the amendment or repeal of a prior rule, but does not include, among other things, statements concerning only the internal management of state government and not affecting private rights, privileges or procedures available to the public (agency statements), or intra-agency memoranda.
- Authorizing the Committees to request an agency to promulgate an agency statement or intra-agency memoranda as a rule, upon review of such documents prompted by a General Assembly member’s request will not result in a significant number of additional rules that will be promulgated on such subjects.
- Further, the number of times that the General Assembly will suspend, upon the Committee’s request, an agency’s rulemaking authority is estimated to be not significant.
- The Committees will conduct reviews of agency statements or intra-agency memoranda in the regular course of business without requiring any additional meetings.

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**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

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